

ARIZONA SILVER BELT.

VOLUME XXIII. No. 47.

GLOBE, GILA COUNTY, ARIZONA, THURSDAY, FEBRUARY 28, 1901.

[Established 1878]

MINING INDUSTRY.

Resume of Important News of the Week.

THE MCCOY GROUP OF MINES.

A Property of Great Promise—Two Important Sales Reported—Development Active in Every Portion of District.

The McCoy group of mining claims, which are located between one and two miles north of Globe, while merely prospects in development, the showing on them and their adjacency to the Old Dominion and United Globe company's mines make them valuable and desirable property. They were located by Bernard McCoy, with others, ten or twelve years ago, and since his death, which occurred nearly two years ago, his interests were purchased by Chas. E. Taylor of Globe, and he is now the owner. Six of these claims, which are connected and adjoining, are named and owned as follows: Yellow Jacket, by C. E. Taylor and James Anderson equally; Wild and Wooley, C. E. Taylor and Hugh Conahan equally; Tip Top No. 1 and Tip Top No. 2, C. E. Taylor solely; Bobbie Burns, C. E. Taylor and the Graham estate equally; McCoy, C. E. Taylor and J. H. Pascoe equally.

These claims lie on the northwest slope of the Buffalo hill, running nearly northeast and southwest along and with the gulch which heads near the Big Johnnie mine, between the Mallory and United Globe mines. These claims all lie in the immediate neighborhood of the United Globe and Old Dominion company's mines, the most distant being within 4,000 feet of the main shaft of the Old Dominion property, while some of them adjoin the property of the United Globe, which have records as producers. The first of these claims reached from Globe is the Yellow Jacket, which adjoins the Bird's Nest (owned by the United Globe), on the north, and through which the Bird's nest vein is supposed to pass. The main work on this claim is a shaft 70 feet deep, in which no ore has yet been found, but the indications for striking ore at depth are very satisfactory. The surface of the claim shows a large iron blowout, lime, diorite, quartzite, and iron seams through the lime.

Adjoining the Bird's Nest, on the southeast side, are the Buffalo and Josh Billings claims, also owned by the United Globe company. All three of these claims are producers, the last named being under lease to parties who have been and are producing and shipping ore at a good profit. On the northwest and adjoining this claim is the Darius, upon which the Old Dominion company have recently been enlarging and timbering a shaft on the vein, to the depth of 90 feet, out of which some very good copper ore has been taken, and it is stated that they intend sinking this shaft to a much greater depth. The vein on this claim is locally known as the Fox vein and can be traced on the surface for some considerable distance, its strike being northeast and southwest. On the south end, after cutting through the line for some distance, it buries itself beneath it. It is a strong iron dyke or fissure, possibly four feet in width on the average, and on the north end can be traced through at least three of this group of claims, copper having been found in a number of places along this vein, as well as in other places on the property. The shaft on this claim is within 2,000 feet of the Buffalo smelter and about the same distance from the main shaft of the Old Dominion company.

The next claim, the Wild and Wooley, adjoining the Darius and Yellow Jacket on the northeast and through which the large vein or dyke before mentioned passes. On the surface of this claim is also a large iron blowout in which some good copper has been found. The main work on this claim is a crosscut tunnel, started near the bottom of the gulch, which is now in about 50 feet, and will cut the vein at a depth of about 125 feet from the surface.

The next claim is the Tip Top No. 1, which is the first extension north of the Wild and Wooley on the same vein and has considerable work done on it at and near the surface, besides two shafts and some crosscutting. The first shaft is about 60 feet deep and shows considerable iron and some copper. At the bottom of this shaft a crosscut tunnel was driven 14 feet toward the hill without any noticeable change in the formation. The next shaft, 200 or more feet distant, started on higher ground, is something over 100 feet in depth and is intersected by a crosscut tunnel at a

depth of about 45 feet. Some high grade copper ore has been taken out of this shaft.

Tip Top No. 2, an extension of Tip Top No. 1, also located along the line of said iron dyke, although the dyke does not come to the surface on this claim and appears to be covered to some depth by slide and alluvium. Near the northeast end of this claim a crosscut tunnel was run and a vein cut at about 25 feet, upon which a shaft was sunk 105 feet and near the bottom the vein dips towards the gulch and the iron dyke. Copper and iron show throughout the shaft, while at the bottom drifts have been run on the vein which shows a considerable body of good copper ore. Mr. Taylor now has some men at work in this shaft and will continue to drift for the present, where the ore is found. From present indications this vein appears to be the same one that follows along near the crest of the Buffalo hill, passing through the Bobby Burns and Josh Billings claims, from which much rich ore is being taken, and its dip will probably carry it into the main large iron dyke mentioned, at which point a large body of ore will doubtless be found.

The last claim of this group on the line of the iron dyke is the McCoy, which has considerable surface work done on some iron seams which show a short distance from and above the shaft on the Tip Top No. 2. A crosscut near the surface workings cuts a vein upon which a 20 foot shaft has been sunk that shows some very good copper and iron ore. About 400 feet from this point another shaft is sunk for a short distance on the main dyke that shows considerable iron.

The Bobbie Burns lies along the side and southeast of the Tip Top No. 1 and extends over the top of the Buffalo hill. It is within 1,000 feet of the Buffalo mine, 2,000 feet of the Hooser and Grey, corners with the Josh Billings, and the vein on that claim from which the rich ore is taken passes through this claim. A crosscut tunnel has recently been run on this claim and reaches the vein at a distance of 80 feet, where sinking is now being done. The vein is about 20 feet wide at this point where some copper ore was found. The shaft is now down about fourteen feet and shows considerable iron, while on the whole the showing for a good producing mine is much better at the present time than was expected when work was commenced.

The showing on this group of claims, their situation, surroundings and conditions for economical operations, are so nearly similar to those of the producing mines of the United Globe and Old Dominion companies that comment on those features is unnecessary.

LOCAL MINING NEWS.

W. F. Westbrook was in town the first of the week, having recently returned from the head of Pinto and Mineral creeks, where he went to look over the country with a view to taking a lease on some property belonging to Richard Welch. He says every thing looks good to him over there, that there are quite a number of men working in that vicinity, some on leases and some on their own claims, and that there are eight or ten dumps in sight on all of which there is good ore piled up ready for shipment, some of it on nearly every dump being already sacked. He and Jerry Coughlan have taken a lease on one of the Welch claims and will commence operations at once and expect soon to be taking out ore for shipment.

The Eureka Mining company are shipping ore from their claims near Oak springs to the Black Warrior leaching plant. They have shipped over 100 tons of concrete ore from the reef on their claims, which runs from 6 to 8 per cent in copper.

William Windsor was in from Pinto creek the first of the week and reports much encouragement among the mine owners in that section.

James Lewis & Son, London copper merchants, express the belief that there will be a copper famine before the end of this year.

It is authoritatively stated that several members of the Pinal Mountain Mining company will be in Globe in a few days and expect to commence work on their property in the Pinals at once.

Joe Henry has secured a lease on the Big Johnnie mine, about two miles north of town, and will start work at once.

The sale of Jack Newman's copper claims, near Dripping springs, was effected this week, to parties represented by N. L. Amster of Boston, who took the bond on the property. W. L. Sultan went over to Dripping springs early in the week to arrange for the transfer of the property.

The Copper Hill group of mines, located a short distance northeast of the Old Dominion mines, has been sold to a Boston company, through

THE MOVEMENT TO DISINCORPORATE

The Board of Supervisors Will Meet on Saturday to Act Upon the Petition.

MORE THAN THE REQUISITE NUMBER OF SIGNATURES OBTAINED.

Organization of the Incorporation Void, and Defects Cannot be Cured. Common Council Have Exceeded Their Authority. Many of Their Acts Have Been Illegal. Territorial Laws Sufficient for Regulation of Unincorporated Towns, Can be Enforced.

The first attempt to incorporate the Town of Globe was made on April 3, 1900, when a list containing 90 names was filed with the clerk of the board of supervisors. There was also a list containing 37 names that was not filed. On that occasion the board rejected the application. On the 28th day of April, 1900, those working for incorporation filed four additional lists of petitioners with the clerk of the board, which said lists contained, respectively, 57, 49, 46 and 13 names, making 165 names on the four petitions, and these added to the 127 names on the former petitions made a total of 292 names. However 28 names were duplicated (that is, they had been signed twice on the petitions) and these together with the 37 names on the petition not filed, deducted leaves only 227 names on the petitions which could, legally, be considered by the board of supervisors. This number is four short of being two-thirds of the persons paying a property tax within the town limits and whose names appear on the assessment roll for the year 1900.

Furthermore, a comparison of the names on the petitions for incorporation with the town assessment roll shows that there are but 190 of the names of petitioners, which are also on the assessment roll, to say nothing of the persons who paid a road and poll tax.

WHO ARE QUALIFIED PETITIONERS.

There is a misconception as to who are to be considered qualified to sign a petition for incorporation, or a petition for disincorporation. Act No. 72 of the session laws of 1893, Sec. 1, provides: Whenever two-thirds of the taxable inhabitants of any town or village containing 500 or more inhabitants, shall present their petition, praying for the incorporation of such town, the board of supervisors may declare such town incorporated. Sec. 10 of the same act provides for the disincorporation of towns, and reads: The county supervisors of the county in which any such town is situated, may, upon the petition of two-thirds of those persons paying a property tax within such town, under the provisions of this act, in the year preceding, and residing within such town, disincorporate such town, and appoint a trustee with authority to wind up the affairs of the corporation, etc.

Hence, there is a distinct and important difference as to who the petitioners for incorporation, and who the petitioners for disincorporation shall be, in order that the board of supervisors proceed to act favorably on the petition. To incorporate the petition must contain the names of two-thirds of all persons subject to a property, road or poll tax within the limits of the town which it is desired to incorporate; but to disincorporate requires two-thirds of those persons only paying a property tax for the previous year under the provisions of the incorporation act. Therefore, the petitions for the incorporation of the town of Globe contained probably not more than one-third of the names of the taxable inhabitants of the town.

THE TOWN ORGANIZATION VOID.

The attempt to create an incorporation was absolutely void, in support of which contention we cite the case of S. L. Page, et al., versus the Board of Supervisors of Los Angeles, Cal. The supreme court of the state, Justice Fox

the efforts of Mr. N. L. Amster, the recent lessees retaining an interest therein. The new purchasers have the controlling interest in this property and will commence operations as soon as a hoist can be purchased and put in place on the ground, which will be within a month.

The stage driver who came in with the mail from Payson on Tuesday says that a number of persons are successfully placer mining in the vicinity of Reno, Rye and other places in the northern part of the county. He started a rooker on a claim of his own on Monday, having had everything ready before hand, and worked until the middle of the afternoon, when he

delivering the opinion of the court says: When a petition for the incorporation of municipality under the municipal incorporation act, is not signed by the requisite number of qualified persons, the organization of an incorporation thereunder, is absolutely void as being without authority of law; nor can a favorable vote of the people cure such defect, or confer jurisdiction upon the supervisors to issue the necessary certificate to exercise the municipal franchise—See Page 53, Cal. Reports.

The council have ignored, or failed through ignorance, to comply with the laws enacted for their guidance, governing incorporated towns and villages, although they have been expending the taxpayers' money for legal advice. The salary list of the town corporation amounts annually to \$2580, whereas the law allows only \$1462.44 for salaries and ordinary and contingent expenses, which is four mills on the dollar of a property valuation of \$365,612. Estimating the ordinary and contingent expenses at \$200 per annum there would remain \$1262.44 that could be legally expended for salaries, which is less than one-half of the present salary list.

COUNCIL ILLEGALLY CONSTITUTED.

Act No. 43, of the session laws of 1897, entitled an act to amend Act No. 72 of the Seventeenth Legislative Assembly, provides:

"The common council shall order a special election to fill any vacancy that may occur in the council or to vote upon or determine any proposition that may be legally submitted to the qualified voters of the town. Should the office of town clerk, town marshal, supervisor of streets or any of the subordinate offices named in said act become vacant, the council may by appointment fill such vacancy. No special election shall be held until at least ten days' notice shall have been given of the time and place of holding the same, and the purpose for which the same is to be held, and it shall be the duty of the town clerk to give said notice by posting said written notice in at least three public places in said town and publishing the same in some newspaper in such town."

Since the pretended organization two vacancies have occurred in the council, one of which the council has attempted to fill by appointment; the other remains vacant. The appointed member is serving contrary to law, and the present town marshal appointed by a board of aldermen illegally constituted, holds his office without authority or color of law.

GOOD LAWS

To Suppress Nuisances, Maintain Order and Punish Offenses in Unincorporated Towns.

Offenses punishable under the penal code of Arizona:

Sec. 507 punishes willful disturbance of an assembly met for religious worship, scientific or other lawful purposes.

Sec. 507 punishes every person who keeps a place where opium or any of its preparations are smoked.

Sec. 509 punishes any one who rents or leases a house for the purpose of smoking opium therein.

Sec. 511 punishes every person who keeps a public dance house within the territory.

Sec. 513 punishes every bartender, manager or other person in charge of a saloon who shall admit any minor or permit him to remain in such

was sent for to drive the stage to Globe on account of the regular driver being hurt, and in that short time he took out nearly ten dollars. He says there will be plenty of water for placer mining for the next three months, and that quite a number of persons are preparing to go to work.

W. J. Grandstaf was in from Pinto creek yesterday and reports that the vein of the Yo Tambien has been reached in their crosscut tunnel, but that it does not look as good as was hoped it would, yet they are drifting on it and expect to soon be taking out ore. He also says several visitors have been examining property in that vicinity with a view to purchasing.

saloon, and punishes such minor who shall re-enter a saloon after being expelled therefrom.

Sec. 514 punishes every person who shall directly or indirectly knowingly sell or give any intoxicating liquor to a minor without the consent of his or her parent or guardian.

Sec. 515 punishes every person who shall use any obscene or vulgar language or vile or abusive epithets of any other person in the presence of any woman or child.

Sec. 539 punishes every person who keeps any disorderly house or house of ill fame, or any house of public resort, or any inn, by which the peace, comfort or decency of the immediate neighborhood is habitually disturbed.

Sec. 542 punishes every person who plays any gambling game with a minor.

Secs. 600, 601, 602, 603 and 604 define and punish every kind of public nuisance.

Sec. 626 punishes the keeping or storing of giant powder in quantity of more than 25 pounds, or blasting or gun powder in quantity of more than 50 pounds in any city, village or town in this territory.

Sec. 647 punishes every person who without authority of law disturbs or breaks up or attempts to disturb or break up any lawful meeting or assembly.

Sec. 681 punishes every person who shall purposely or carelessly discharge any gun, pistol or other firearm in any saloon, dance house, store or other public house or business house, or in any city, town or village, not in necessary self defense.

Sec. 917 punishes every person who willfully obstructs any public road or highway, by placing or leaving therein any stone, block or stick of wood.

Sec. 1,014 punishes vagrants and disorderly persons of all kinds.

Act No. 13, page 16, of the laws of 1889 punishes the carrying of deadly weapons in any city, town, village or settlement in the territory, except by peace officers, soldiers or militiamen, or for carrying the same into any religious assembly, school room or other place where persons are assembled for amusement or educational or scientific purposes, or at any circus, public show, exhibition, ball room or at any election.

Act No. 9, page 12, of the laws of 1889 fully provides for sanitary regulations in every unincorporated town or village in the territory.

Act No. 63, page 61, of the laws of 1881 fully provides against and punishes every person who keeps or willfully resides in any house of ill fame or ill report or house of prostitution or assignment within a certain distance (to be determined by the supervisors in case of an unincorporated town, village or mining camp) of any county court house, public school or any other public building of any nature.

The same act also punishes any person who shall knowingly let, lease, demise or rent any room, house or building within the limits as established by the board of supervisors of the county for any unincorporated town, village or mining camp, or who shall continue such lease, letting or hiring after having been notified in writing by any peace officer of the character of such house or of its inmates.

Act No. 2, page 3, laws of 1893 provides for the punishment of any person who is not a peace officer in actual service and in the discharge of his duty who shall carry concealed about his person any pistol or other firearm, dirk, dagger, slung shot, sword cane, spear, brass knuckles, or other knuckles of metal, bowie knife, or any kind of knife or weapon except a pocket knife not manufactured and used for the purpose of offense and defense.

Act No. 21, page 21, laws of 1893 provides that it shall be unlawful for any owner or agent of any owner or any other person to keep or reside in any room, apartment or house of ill fame, or to let, lease or rent for any length of time whatever to any woman of ill fame any house, room or structure situated within four hundred yards in a direct line of any school house or school room used by any of the public schools in the territory of Arizona; punishment not less than fifty nor more than three hundred dollars, or by imprisonment in the county jail not less than twenty-five nor more than 150 days, or by both such fine and imprisonment.

Act No. 41, page 32, laws of 1893 provides that the taxpayers of any justice precinct in this territory may take steps to effectually prevent the running at large of any animals in such precinct.

Act No. 61, page 114, laws of 1897 regulates the maintenance of houses of prostitution in mining camps and mining communities.

Sec. 108, penal code, provides as follows: Every person who willfully and knowingly intrudes himself into any public office to which he has not been legally elected or appointed is guilty of a misdemeanor.

THE LEGISLATURE

The Session Will Probably Be Extended.

DEDICATION OF THE NEW CAPITOL

Impression is That County Division Will Prevail—Prison Removal Bill Still Held by the Governor. Printing Investigation.

PHOENIX, Tuesday, Feb. 26.—The last legislative week has been badly broken by holidays and festivities. The legislature adjourned over last Friday for the observance of Washington's birthday and yesterday was surrendered to the ceremonies of the capitol dedication and the anniversary of the organization of the territory of Arizona. The celebration was a very gorgeous event closing last night with a magnificent informal reception in the legislative halls, the executive chambers and the offices of the secretary of the territory. The ceremonies included a parade in which the territorial, federal, county and Phoenix city officials participated along with cadets from the university, normal and Indian school and various musical organizations. At the close of the parade there were congratulatory addresses by Governor Murphy, President Eugene S. Ives, Speaker Parker and Chief Justice Street, the orator of the day. A grand legislative reception, banquet and ball, originally intended to be a part of the celebration, will take place tonight.

There is a probability that the legislative session will be extended thirty days in compliance with a memorial to congress adopted early in the session. A communication was received today from Delegate Wilson enclosing a copy of an act introduced by him granting an extension, along with a copy of the report by Chairman Knox of the committee on territories, recommending its passage. Unless the extension is allowed the territory will certainly be to a certain extent in the hole and a great deal of half-finished legislation will have to be dumped overboard. The code report, about as crude and unpolished a document as has ever been submitted, has disorganized everything. The code is yet far from complete, and it is difficult to see how it can be completed in the twenty remaining days.

County division will probably add its disturbing influence tomorrow. It is expected that bills for the creation of both Clark and Colquhoun counties will be introduced then. There is an impression that they, especially the latter, will prevail, though the anti-divisionists are prepared for a stubborn fight.

A strong and curious and generally victorious clique was organized around the division sentiment early in the session. It has generally though not always been anti-administration. While large it has not been very compact and two or three times has gone to pieces, notably in the struggle for the repeal of the board of equalization laws. Its strength was perhaps accurately measured in the prison removal contest. If so, it will be strong enough to divide counties. I am speaking now of the house, and whatever is true of the house on the subject of county division may be said to be more distantly true of the council.

The most interesting, though not the most important thing now pending, is the investigation of the matter of the printing of the biennial reports along with the affairs of the offices of the territorial auditor and the board of control. This investigation was instituted in the council and was undertaken by a committee composed of the president, Dr. Claypool and C. C. Warner, though it has been conducted wholly by the president. The house had no regular knowledge of the proceeding until last Saturday, when a concurrent resolution was received from the council authorizing the council committee to employ an expert accountant to assist in the examination of the auditor's books. The house laid the resolution aside for further official information of the object. The auditor had previously requested the appointment of a house committee to join in the investigation on the ground that the inquiry started by President Ives was animated by personal unfriendliness. This morning the house took the matter up and adopted a substitute concurrent resolution directing the appointment of a joint committee to pursue this investigation.

Last week a bill was passed compelling corporations and other employees to establish a regular monthly pay day, at least once a month. The bill was signed by the governor. The bill originated in the council and is said to have been an experiment upon the governor—to see if he would sign it. He did, and since then a bill has been introduced in the house for its repeal.

The bill providing for the improvement and enlargement of the territorial prison is still in the hands of the governor.

The people of Globe will of course be pleased to learn that R. S. Macley is facilitating legislation as much as possible in a clerical capacity. J. J. Parks, another Globeite, is making himself useful.